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PART V

Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

THE GUJARAT CLINICAL ESTABLISHMENTS (REGISTRATION AND REGULATION) (AMENDMENT) BILL, 2025.

GUJARAT BILL NO. 3 OF 2025.

A BILL

further to amend the Gujarat Clinical Establishments (Registration and Regulation) Act, 2021.

It is hereby enacted in the Seventy-sixth Year of the Republic of India as follows: -

1. (1) This Act may be called the Gujarat Clinical Establishments (Registration and Regulation) (Amendment) Act, 2025.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Short title and
commencement.

Amendment of section 2 of Guj. 18 of 2021.	2.	In the Gujarat Clinical Establishments (Registration and Regulation) Act, 2021 (hereinafter referred to as “the principal Act”), in section 2, in clause (f), the words “Yoga, Naturopathy,” shall be deleted.	Guj. 18 of 2021.
Amendment of section 3 of Guj. 18 of 2021.	3.	<p>In the principal Act, in section 3, -</p> <p>(1) in sub-section (2), -</p> <p>(i) for clause (i), the following clause shall be substituted, namely: -</p> <p>“(i) one representative each of the Dental, Homoeopathy and Ayurveda related Council or Board working in the State, nominated by the State Government;”;</p> <p>(ii) the following provisos shall be added, namely: -</p> <p>“Provided that the nominated member of the State Council shall hold office for a term of three years, but shall be eligible for re-nomination for maximum of one more term of three years:</p> <p>Provided further that the nominated member shall hold office as long as he holds the appointment of the office by virtue of which he was nominated to the State Council.”;</p> <p>(2) in sub-section (3), the proviso to clause (e) shall be deleted.</p>	
Amendment of section 5 of Guj. 18 of 2021.	4.	<p>In the principal Act, in section 5, in sub-section (1), -</p> <p>(i) for clause (b), the following clause shall be substituted, namely: -</p> <p>“(b) the Chief District Medical Officer/ Medical Superintendent / Chief District Health Officer/ Superintendent – Member Secretary;”;</p> <p>(ii) for clause (h), the following clause shall be substituted, namely: -</p> <p>“(h) three representatives concerned with the Ayurveda, Dental and Homeopathy from the district - nominated by the District Collector;”;</p> <p>(iii) the following proviso shall be added, namely: -</p> <p>“Provided that the nominated member of the District Registering Authority shall hold office for a term of three years, but shall be eligible for re-nomination for maximum of one more term of three years:</p> <p>Provided further that the nominated member shall hold office as long as he holds the appointment of the office by virtue of which he was nominated to the District Registering Authority.”</p>	
Amendment of section 9 of Guj. 18 of 2021.	5.	<p>In the principal Act, in section 9, for sub-section (4) the following sub-section shall be substituted, namely: -</p> <p>“(4) If any clinical establishment is in existence at the time of the commencement of this Act, an application for its registration shall be made within three years from the date of the commencement of this Act and a clinical establishment which comes into existence after the commencement of this Act shall, subject to the provisions of section 18, apply for the registration within a period of six months from the date of its establishment.”.</p>	
Amendment of section 18 of Guj. 18 of 2021.	6.	<p>In the principal Act, for section 18, the following section shall be substituted, namely: -</p> <p>“18. In respect of the clinical establishment for which the standards have been notified by the State Government, the provisional registration shall not be granted or renewed beyond the period of two and half years from the date of notification of the standards.”.</p>	

7. In the principal Act, in section 31, -

**Amendment
of section 31
of Guj. 18 of
2021.**

- (i) in sub-section (1), for the existing proviso, the following proviso shall be substituted, namely: -

“Provided that the State Council may authorise a member of the Council for hearing of appeals on its behalf against the orders of the Authority.”;

- (ii) after sub-section (1), the following sub-section shall be inserted, namely: -

“(1A) The State Council or the member authorised by the Council to hear appeals may entertain an appeal preferred after the expiry of the prescribed period if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal in time.”.

STATEMENT OF OBJECTS AND REASONS

The State Government has enacted the Gujarat Clinical Establishments (Registration and Regulation) Act, 2021, to provide for the registration and regulation of clinical establishments in the State of Gujarat. With a view to have effective implementation of the Act across the State, it is considered necessary to provide reasonable time to the clinical establishments for registration as mandated by the Act. Moreover, it is also considered necessary to incorporate representation of various recognised systems of medicine in order to smooth implementation of the provisions of the Act and rules published thereunder. Likewise, it is also considered necessary to determine the term of nominated members of the State Council for Clinical Establishments and District Registering Authorities under the Act.

This Bill seeks to amend the said Act to achieve the aforesaid objects.

RUSHIKESH PATEL,

MEMORANDUM REGARDING DELEGATED LEGISLATION

This Bill involves delegation of legislative power in following respects: -

Clause 1. - Sub-clause (2) of this clause empowers the State Government to appoint, by notification in the *Official Gazette*, the date on which the Act shall come into force.

The delegation of legislative power as aforesaid is necessary and is of a normal character.

Dated the 13th February, 2024.

RUSHIKESH PATEL.

By order and in the name of the Governor of Gujarat,

K. M. LALA,

Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

Gandhinagar,
Dated the 13th February, 2024.

